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09/17/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT
ATTORNEY DOCKET NO.: 01736250

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#6
3/4/03

In re Application of:
Damaso et al.

Serial No.: 09/837,849

Filing Date: April 18, 2001

For: CLEANING SYSTEM UTILIZING
AN ORGANIC CLEANING
SOLVENT AND A
PRESSURIZED FLUID
SOLVENT

Group Art Unit: 1746

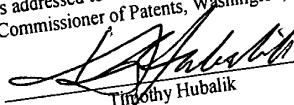
Examiner: S. Carrillo

MAR 04 2003

GROUP 1700

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Timothy Hubalik

Box Non-Fee Amendment
Assistant Commissioner Of Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION AND ELECTION REQUIREMENT

Sir:

In the Office Communication dated January 28, 2003, the Examiner requires restriction under 35 U.S.C. § 121 between the claims of Group I (claims 1-54) and Group II (claims 55-108). Applicants believe the restriction requirement is not warranted and therefore respectfully traverse that requirement, as discussed further below. However, in order to further prosecution, Applicants provisionally elect to prosecute Group I, claims 1-54.

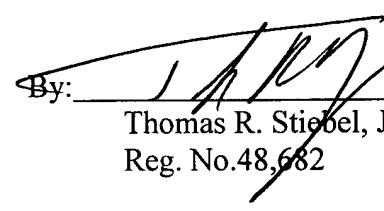
Applicants respectfully submit that the search and examination of Group I and Group II (claims 1-108) together can be made without serious burden. Section 803 of the MPEP states that, "[i]f the search and examination of an entire application can be made without serious burden, the examiner *must* examine it on the merits, even though it includes claims to



independent or distinct inventions" (emphasis added). Applicants respectfully submit that claims 1-108 should be examined together in this application in view of Section 803.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 13-0019. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

By: 

Thomas R. Stiebel, Jr.
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Date: February 26, 2003